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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 08/815,168 | 03/11/1997 | MICHAEL J. FREEMAN | 5038 | 5518 |

7590 09/16/2002

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EXAMINER

TRAN, HAI V

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2611

DATE MAILED: 09/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/815,168

Applicant(s)

FREEMAN ET AL.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-43 and 228-235 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 39-43 and 228-235 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 32.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Continued Prosecution Application

The request filed on 06/21/2002 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 08/815,168 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Arguments

Applicant's arguments with respect to claim 39-43 and 228-235 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 39-43 and 228-235 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett (US 5068733) in view of Gersdorff et al. (US5182642).

Regarding claim 39, Bennett discloses a method for providing live interactive (viewer selection) programming comprising (Abstract):

Obtaining a plurality of video signals from a plurality of camera angles wherein at least one of the pluralities of camera angles provide a differentiable view of a live event (Col. 1, LINES 59-69).

Multiplexing the plurality of video signals into a combined program stream (Fig. 1 A, element 85; Col. 2, lines 27-35).

Transmitting the combined program stream (Fig. 1A, elements 85 and 87; Col. 2, lines 32-34).

Receiving the combined program stream at the receiver (Fig. 1B, elements 89; Col. 2, line 35).

Demultiplexing the plurality of video signals (Fig. 1B, element 91; Col. 2, lines 35-40).

Selecting at least one of the plurality of video signals and displaying the selected video signal (Col. 1, lines 69-Col. 2, lines 16 and lines 46-55).

Bennett does not clearly disclose the provided live interactive wherein the video signals received is digitally programming, digitally compressing, digitally multiplexing at the transmitter site and digitally demultiplexing and digitally decompressing at the receiver site.

Gersdorff discloses a plurality of video sources received (Fig. 1, element 12, 14 and 16) are digitally compressing, multiplexing at the transmitter site (Fig. 1, elements 18, 20 and Fig. 22) and digitally demultiplexing and decompressing at the receiver site (Fig. 1, elements 22, 24 and fig. 28) (Col. 9, lines 17-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bennett to have video signals received from plurality of cameras to be digitally compressing, multiplexing at the transmitter site and digitally demultiplexing and decompressing the received video streams at the receiver site,

as taught by Gersdorff, so to minimize the bandwidth required for its transmission (Col. 3, lines 65-Col. 4, lines 6).

Regarding claims 40-43, Bennett discloses the combined video signal could be transmitted over a microwave transmission system and cable distribution system (Col. 2, lines 33-35) and Gersdorff further discloses wherein the combined digital program stream is transmitted over a broadcast transmission system and a telephony network (Col. 17, lines 29-32);

Official Notice is taken that the use of satellite transmission is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bennett in view of Gersdorff to use satellite for transmission of program sources so to make possible of the transmission and reception of television signals from distant cities and even countries, thus enabling a viewer to watch more than just those stations which can be received locally by conventional means.

Regarding claims 228, with the same analysis as claim 39 regarding the limitations of digitally compressing, digitally multiplexing, digitally decompressing and digitally demultiplexing of audio signal and video signal, Bennett further discloses

Producing an audio signal corresponding to the live event (Col. 2, lines 3-4 and lines 22-25) so the user could select corresponding audio signal corresponding to the video signal/scene.

Regarding claim 229, Gersdorff further discloses the combined digital stream within a single channel bandwidth (Col. 2, lines 65-68).

Regarding claim 230, regarding "at least one of the plurality of video signals comprises a graphic image signal" is inherent in Bennett.

Regarding claims 231-33, Bennett discloses wherein the step of displaying an interrogatory to a viewer (direct participation in the broadcasting process; Col. 3, lines 5-11); selecting is performed in response to input by viewer (Col. 1, lines 69-Col. 2, lines 2), and displaying information to a viewer regarding video signal selection option (it will be possible to choose various cameras while maintaining program audio; Col. 2, lines 58-60).

Regarding claims 234 and 235, Bennett further discloses wherein the live event comprises a sporting (athletic) event and a game show (circuit) (Col. 1, lines 25-30).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Copen et al. (US 4995036) shows a multichannel data compression.

Hoarty (US 5412720) shows an interactive home information system.

Contact Fax Information

Any response to this action should be mailed to:

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or Faxed to:(703) 872-9314
(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Contact Information

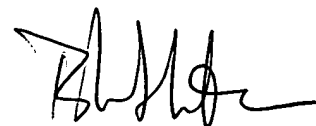
Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Hai Tran whose telephone number is 703-308-7372.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers
for the organization where this application or proceeding is assigned are 703-872-9314
for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is 703-306-
0377.

HT:ht
September 8, 2002



Bhavesh Mehta
Primary Examiner